

Application No. 09/474,569
Amendment dated April 8, 2005
Reply to Office Action dated March 10, 2005

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the above Amendments and the arguments set forth fully below. In the Office Action mailed March 10, 2005, claims 1 - 14, 16 - 23 and 25 - 35 have been rejected. In response, the Applicant has submitted the following remarks and amended claims 16 - 25. Accordingly, claims 1 - 14, 16 - 23 and 25 - 35 are pending. Favorable reconsideration is respectfully requested in view of the amended claims and the remarks below.

REJECTIONS UNDER 35 U.S.C. § 112

Within the Office Action, claims 16 and 25 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, claims 16 and 25 depend on the canceled claims 15 and 24, respectively. By the above Amendment, the Applicant has amended claims 16 and 25 to depend on claims 14 and 23, respectively. For at least these reasons, the Applicant respectfully submits that claims 16 and 25 are definite and particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

REJECTIONS UNDER 35 U.S.C. § 102

Within the Office Action, claims 1 - 3, 5 - 14, 16 - 23 and 25 - 35 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,260,021 to Wong, et al (hereinafter Wong). The Applicant respectfully disagrees with this rejection.

Wong teaches an object oriented system and method for easily and rapidly distributing medical images from existing picture and report storage systems to a plurality of heterogeneous client workstations [Wong, abstract]. The system in Wong utilizes a first PACS application 26 and a second RIS application 18. Both of these applications communicate with the display 38 by sending image data and patient data, respectively, to the display through a server 12 and an internet or internet 36. However, Wong does not

teach the first application generating patient context data for the patient. Wong merely teaches the first PACS application 26 sending image data to the display 38. While the second RIS application 18 in Wong sends patient data to the display, Wong indeed does not teach the first PACS application 26 displaying patient images on the display unit **and** generating patient context data for the patient. Following, because the first application does not generate patient context data, the first application in Wong is also not configured to send patient context data to the second application. Likewise, the second application in Wong cannot be configured to receive patient context data from the first application. Simply stated, the system in Wong does not allow for the first application to communicate with the second application. Rather, the system in Wong allows the first application and the second application to transmit data to the same display.

In contrast to the teachings of Wong, the patient data information system of the present invention includes a display unit coupled to a workstation with the workstation configured to operate a first software application which is configured to display patient images for a patient on the display unit. The workstation is also configured to work a second software application. **The first software application is configured to generate a patient context for the patient being treated and provide the patient context to the second software application**, thereby allowing the second software application to display patient data based on the patient context data [present invention, page 3, lines 7 - 16]. As described above, Wong does not teach the ability of the first application to not only generate patient context data, but also to communicate that context data to the second application.

The independent claim 1 is directed to a patient data information system comprising a display unit, a first application configured to display patient images for a patient on the display unit and generate patient context data for the patient, a second application in data communication with the first application and a workstation coupled to the display unit and configured to operate both the first application and the second application that reside on the workstation, the first application configured to send the

patient context data to the second application and the second application configured to receive the patient context data and to display patient data on the display unit based on the patient context data. As discussed above, Wong does not teach the first application configured to generate patient context data for the patient, nor the first application configured to send the patient context data to the second application and the second application configured to receive the patient context data and to display patient data on the display unit based on the patient context data. For at least these reasons, the independent claim 1 is allowable over the teachings of Wong.

Claims 2 - 3 and 5 - 13 are dependent upon the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of Wong. For at least these reasons, claims 2 - 3 and 5 - 13 are allowable as being dependent upon an allowable base claim.

The Applicant respectfully submits that the independent claims 14, 23 and 32 are allowable over the teachings of Wong for the same reasons outlined above regarding the independent claim 1. Specifically, Wong does not teach a first application generating patient images as well as patient context data, and the first application being configured to send this context data to the second application such that the second application displays patient data based on the context data.

Claims 16 - 22, 25 - 31 and 33 - 35 are dependent upon the independent claims 14, 23 and 32. As discussed above, the independent claims 14, 23 and 32 are allowable over the teachings of Wong. For at least these reasons, claims 16 - 22, 25 - 31 and 33 - 35 are allowable as being dependent upon an allowable base claim.

REJECTIONS UNDER 35 U.S.C. § 103

Within the Office Action, claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Wong. The Applicant respectfully disagrees with this rejection. Claim 4 is dependent upon the independent claim 1. As discussed above, the

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independent claim 1 is allowable over the teachings of Wong. Accordingly, claim 4 is also allowable as being dependent upon an allowable base claim.

For these reasons Applicant respectfully submits that all the claims are now in condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at 414-271-7590 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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